

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

STATE FARM MUTUAL AUTOMOBILE INSURANCE
COMPANY,

Plaintiff,

v.

Case No. 19-10669

MICHAEL ANGELO,
et al.,

Defendants.

ORDER GRANTING PLAINTIFF'S MOTIONS TO COMPEL

Plaintiff State Farm Mutual Automobile Insurance Company brings this action under the Racketeer Influenced and Corrupt Organizations Act ("RICO"), 18 U.S.C. § 1962(c) and (d), common law fraud, and unjust enrichment. (ECF No. 1, PageID.55-63.) It moves to compel Defendants Reese James, Sam Hakki, Orthopedic P.C., and Muhammad Awaisi to comply with discovery. (ECF Nos. 61-63.)

Plaintiff filed its motions to compel between July 30 and August 3, 2020. Defendants had fourteen days to file a response. E.D. Mich. L.R. 7.1(e)(2)(B). Yet they have failed to provide a response for forty-nine days. The claims in Plaintiff's motions are well supported. Defendants do not present any argument in opposition, and the motions will be granted. Fed. R. Civ. P. 37(a).

Federal Rule of Civil Procedure 37(a)(5)(A) states that if a motion to compel is granted, "the court must, after giving an opportunity to be heard, require the party . . . whose conduct necessitated the motion, the party or attorney advising that conduct, or

both to pay the movant's reasonable expenses incurred in making the motion, including attorney's fees." "The award of costs is the norm, rather than the exception." *Martinez v. Blue Star Farms, Inc.*, 325 F.R.D. 212, 220 (W.D. Mich. 2018). The court is inclined to award Plaintiff expenses. It will order Plaintiff to file a bill of costs and account for its reasonable expenses, including attorney's fees, incurred in the filing of the motions to compel. Fed. R. Civ. P. 37(a)(5)(A). (ECF No. 61-63.) Defendants will have the opportunity to file responses. Accordingly,

IT IS ORDERED that Plaintiff's "Motion to Compel Defendant Reese James . . . to Comply with Discovery" (ECF No. 61) is GRANTED. Defendant Reese James is DIRECTED to serve written objections and responses to Plaintiff's First Set of Interrogatories, serve written objections and responses to Plaintiff's First Set of Document Requests, and produce all documents responsive to Plaintiff's First Set of Document Requests by **October 5, 2020**.

IT IS FURTHER ORDERED that Plaintiff's "Motion to Compel Defendant Sam Hakki . . . to Comply with Discovery" (ECF No. 62) is GRANTED. Defendant Sam Hakki is DIRECTED to produce full and complete answers to Plaintiff's First Set of Interrogatories and produce all documents responsive to Plaintiff's First Set of Document Requests by **October 5, 2020**.

IT IS FURTHER ORDERED that Plaintiff's "Motion to Compel Defendants Orthopedic P.C. and Muhammad S. Awaisi . . . to Comply with Discovery" (ECF No. 63) is GRANTED. Defendants Orthopedic P.C. and Muhammad S. Awaisi are DIRECTED to produce full and complete answers to Plaintiff's First Set of Interrogatories and

produce all documents responsive to Plaintiff's First Request for Production of Documents by **October 5, 2020**.

Finally, IT IS ORDERED that Plaintiff file a bill of costs by **September 28, 2020**. Defendants Reese James, Sam Hakki, Orthopedic P.C., and Muhammad Awaisi may file responsive briefs by **October 5, 2020**.

s/Robert H. Cleland /
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: September 22, 2020

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, September 22, 2020, by electronic and/or ordinary mail.

s/Lisa Wagner /
Case Manager and Deputy Clerk
(810) 292-6522

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